

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2008-454-C - Order No. 2008 - _____

March ____, 2009

IN RE:)	
)	
Merus Refreshment Services, Inc.,)	
)	
Complainant,)	
)	CONSENT ORDER OF DISMISSAL
v.)	WITH PREJUDICE
)	
ITC^DeltaCom, Inc.)	
)	
Defendant.)	
_____)	

The parties in this docket, Merus Refreshment Services (“Merus”) and DeltaCom, Inc. hereby request dismissal of the Complaint because the issues presented in the Complaint have been resolved through a negotiated settlement between Merus and DeltaCom, and are therefore, moot.

Now, therefore, based upon the consent of all parties of record as reflected by the signatures of their duly authorized representatives set forth below,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Complaint in the above-captioned matter is hereby dismissed with prejudice.

Signature page follows

AND IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

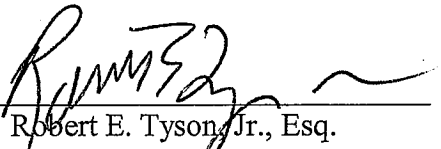
By: _____
Elizabeth B. Fleming, Chairman
Chairman

ATTEST:

John E. Howard
Vice Chairman

(SEAL)

WE CONSENT:

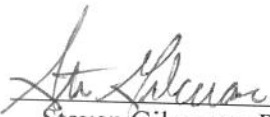
By: 
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and

D. Anthony Mastando Jr., Esq.
Vice President Regulatory
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7037 Old Madison Pike, Suite 400
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(256) 382-3856

Attorneys for DeltaCom, Inc.

WE CONSENT:

By: 
Steven Gilcrease, President
Merus Refreshment Services
108-A Park Place Ct.
Greenville, SC 29607

Complainant